

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for December 10, 2003 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #2041

PROPOSAL: Expand a nonstandard single-family dwelling into the required front yard setback.

LOCATION: 20th and Lake Streets.

LAND AREA: 6,885 square feet, more or less.

CONCLUSION: This application meets the requirements of the Zoning Ordinance and Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION:

Lot 13, Block 2, Randall Place, located in the SE1/4 of Section 36 T10N R6E, Lincoln, Lancaster County, Nebraska

EXISTING ZONING: R-4 Residential

EXISTING LAND USE: Single-family dwelling

SURROUNDING LAND USE AND ZONING:

North:	Single-family dwelling	R-4 Residential
South:	Single-family dwelling	R-4 Residential
East:	Single-family dwelling	R-4 Residential
West:	Single-family dwelling	R-4 Residential

HISTORY:

May 1979 The zoning for this area changed from B Two-Family Dwelling to R-4 Residential as part of the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Land Use Plan designates this area as Urban Residential. (F 25)

Urban Residential: Multi-family and single-family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. (F 27)

ANALYSIS:

1. This is an application to expand a nonstandard single-family dwelling into the required front yard setback for the purpose of adding an enclosed patio.
2. A nonstandard use is defined by LMC §27.03.460 as a lot or use that existed prior to the effective date of the zoning ordinance or became nonstandard through a change in the zoning ordinance and no longer complies with the minimum lot requirements for the district in which it is located. According to the Lancaster County Assessor, this dwelling was constructed in 1920. This was prior to the adoption of zoning in Lincoln; therefore, this is a nonstandard use.
3. LCM §27.63.540 provides conditions under which this permit may be granted:

- (a) The proposed building expansion shall not extend further into any required yard than the furthest extension of the existing single- or two-family dwelling.

The existing building is 7-1/2' from the 20th Street right-of-way, with a chimney projection located 5-1/2' from the right-of-way. The proposed enclosed patio will maintain a distance of at least 7-1/2' from the right-of-way as well. The R-4 zoning regulations require a 25' front yard setback in this location.

- (b) The proposed building expansion shall comply with all other height and area regulations of the zoning district in which the building is located.

The proposed enclosed patio will not encroach into any other required setback, and appears to be no more than one-story tall, which will meet the height limit for this district.

- (c) The use of the building shall remain a single- or two-family dwelling.

This is a recommended condition of approval.

4. No City Department has raised an objection to this permit.

The Planning Department recommends approval of this permit based upon the following conditions.

CONDITIONS:**Site Specific:**

1. This approval permits the expansion of a nonstandard single-family dwelling into the required front yard setback along Lake Street for the purpose of an enclosed patio.

2. The expansion shall not extend further into a required front yard than the furthest extension of the existing dwelling.
3. The expansion shall meet the height limit of the zoning district.
4. The use of the main structure shall remain a single- or two-family use.

STANDARD CONDITIONS:

5. The following conditions are applicable to all requests:
 - 5.1 Before occupying the addition all development and construction is to comply with the approved plans.
 - 5.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 5.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 5.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
6. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

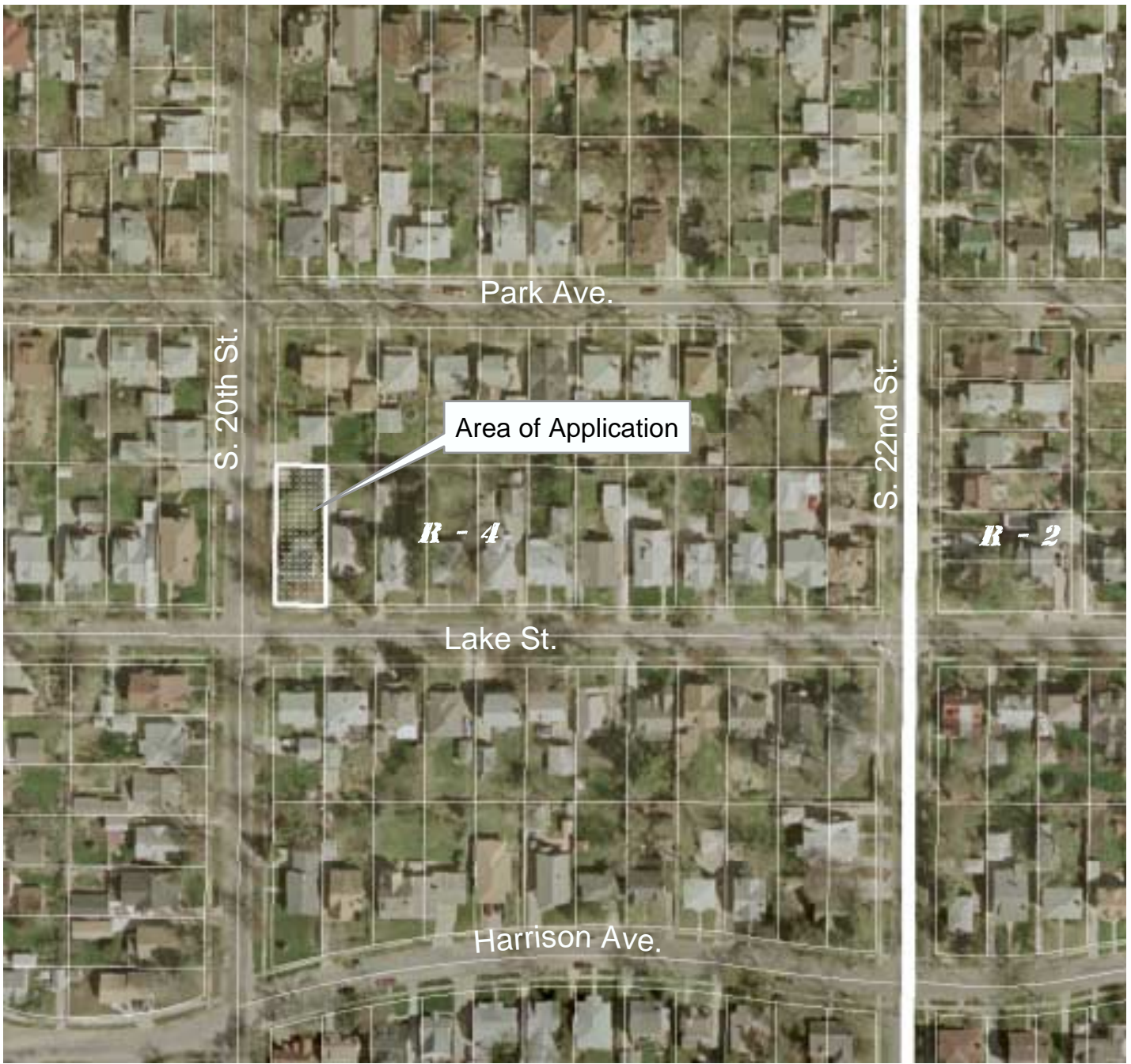
Greg Czaplewski
Planner

DATE: November 21, 2003

Applicant: Champion Window Company of Omaha
13306 Portal Drive
Omaha, NE 68138
402.896.4600

Owner: Maurice Loeb
2000 Lake Street
Lincoln, NE 68502
476.2149

Contact: Champion Window Company of Omaha
Mark Pykiet
13306 Portal Drive
Omaha, NE 68138
402.981.7082



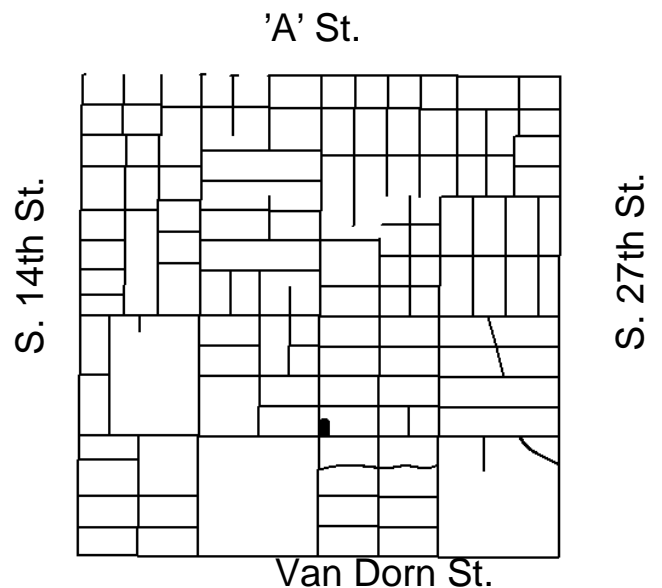
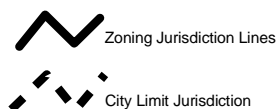
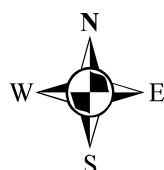
2002 aerial

Special Permit #2041 S. 20th & Lake St.

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
Sec. 36 T10N R6E





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WINDOWS

October 30, 2003

TO: City of Lincoln

■ STORM DOORS &
WINDOWS

FROM: Champion Windows of Omaha

RE: Loeb Residence

■ PATIO & ENTRY DOORS

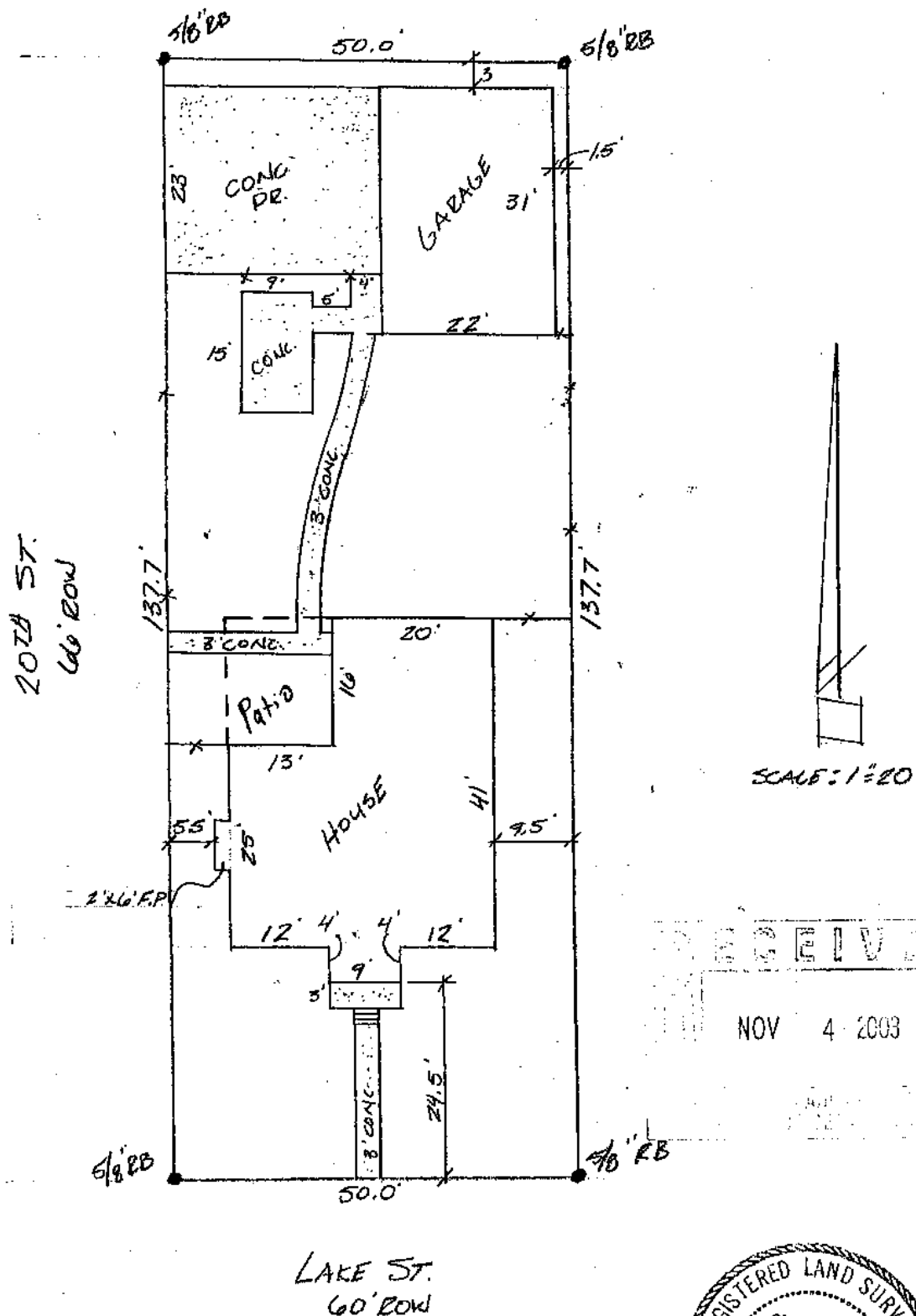
We are building a glassed-in patio room on the rear of the house belonging to Maurice and Pamela Loeb @ 2000 Lake Street Lincoln, NE 68502. This will allow them to enjoy their back yard while being protected from wind, rain, and mosquitoes.

■ VINYL SIDING AND TRIM

■ PATIO ROOMS &
PORCH ENCLOSURES

NOV 4 2003





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DATE: September 24, 2003

- NOTE:
1. This Report is a representation of the conditions that were found at the time of the improvement location survey and that the document does not constitute a boundary survey and is subject to any inaccuracies that a subsequent boundary survey may disclose. This Report should not be used to establish any fence, structure, or other improvements. This Report shows measurements that are based on plat or deed information and verified as shown and this Report represents only visible building improvements.
 2. Setback and Sideyard measurements are within 0.5 ft. \pm .
 3. No Flood Plain influence on this lot.

Community Panel Number
315273 0025 C

Map Revised:
March 18, 1986